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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,130	12/15/2003	Ikuo Nakagawa	4777-36	5726

29540 7590 05/17/2007

DAY PITNEY LLP  
7 TIMES SQUARE  
NEW YORK, NY 10036-7311

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 05/17/2007

Please find below and/or attached an Office communication concerning this application or proceeding.



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10737130	12/15/03	NAKAGAWA ET AL.	4777-36

PITNEY HARDIN LLP  
7 TIMES SQUARE  
NEW YORK, NY 10036-7311

## EXAMINER

William M.. Treat

ART UNIT	PAPER
2181	20070514

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## Commissioner for Patents

Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on 3/16/2007. The submission, however, is not fully responsive to the prior Office action because previous claim 8 was rejected under 35 USC 101 because it was for a computer program which is non-patentable subject matter. New claim 23 also appears to be, once again, for a computer program which is still non-patentable subject matter. The fact that the applicant is trying to claim that his program is usable by a computer is not relevant. All well-written programs are potentially usable even when they are merely written on a piece of paper. The examiner would suggest that applicant amend his claim 23 to recite that the program is stored on a computer readable medium. If applicant chooses not to amend claim 23 in some relevant manner, applicant should provide a careful explanation as to why 35 USC 101 should not be applied. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

**WILLIAM M. TREAT  
PRIMARY EXAMINER**